IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.14102 of 2008
1. BINOD CHAUHAN, Son of Hari Charan Chauhan,
Resident of Village- Sheo Sagar,
Police Station- Nabi Nagar, District- Aurangabad
2. Mithilesh Yadav, Son of Late Ram Nand Yadav,
Resident of Village- Surar @ Surau, Police Station- Nabinagar,
District- Aurangabad :----------Petitioners.
Versus
THE STATE OF BIHAR:------- Opposite Party

For the Petitioners :Mr. Rajendra Prasad Singh, Senior Advocate.
For the Opposite Party : Mr. Nitya Nand Tiwari, A.P.P.

======

9. 12.11.2008. Heard learned counsel for the petitioners and the State.

Petitioners are accused in a case under Section 302/34 of the Penal Code. They are named in the First Information Report along with Hargovind Singh and one another, namely, Lal Govind Singh.

It is submitted on behalf of the petitioner that Hargovind Singh has been admitted to the privilege of bail by another Bench of this Court under orders dated 29.09.2008 passed in Cr. Misc. No. 29332 of 2008 on the ground that he and the other three persons named in the First Information Report were resisting the attempt of Raj Kumar Chauhan and others to commit dacoity and in the operation Raj Kumar Chauhan was injured and later died. Counsel for the petitioners submits that similar is the case of the petitioners.

In the circumstances, the petitioners, namely, Binod Chauhan and Mithilesh Yadav are directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad (Bihar) in connection with Nabi Nagar P.S.Case No. 61 of 2005.

WEB COPY NOT OFFICIAL

P.K.P. **(V.N.Sinha,J.)**